Department of Development Services

205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director

REZONING APPLICATION ANALYSIS

ZONING CASE #: Z2015-33

LEGISTAR: #20150818

PROPERTY OWNER/APPLICANT:

Roswell Street Baptist Church

774 Roswell Street Marietta, GA 30060

PROPERTY ADDRESS:

767 Roswell Street; 774 Roswell Street

PARCEL DESCRIPTION:

Land Lots 1232 & 1236, District 16

AREA: 0.37 acres

COUNCIL WARD: 1A

EXISTING ZONING:

Unzoned right-of-way

REQUEST:

CRC (Community Retail Commercial)

FUTURE LAND USE MAP

RECOMMENDATION:

N/A

REASON FOR REQUEST: City of Marietta is seeking to rezone the unzoned public right of way located along Roswell Street.

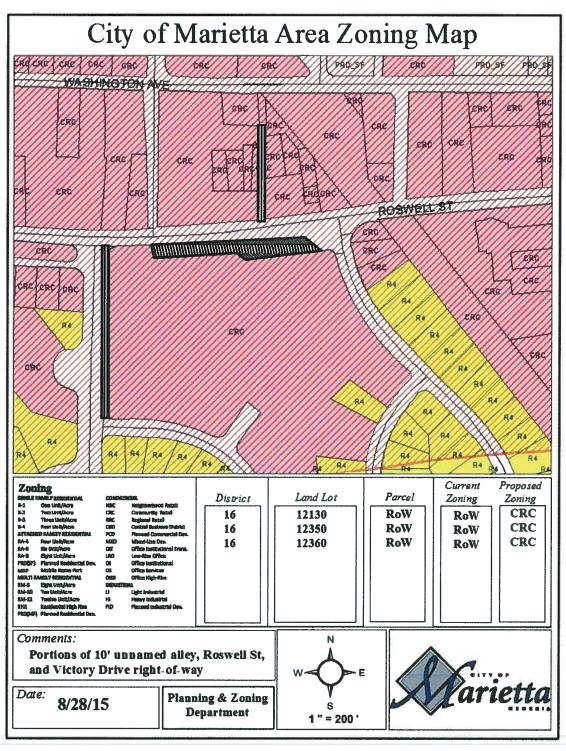
PLANNING COMMISSION HEARING: Tuesday, October 6th, 2015 – 6:00 p.m.

CITY COUNCIL HEARING:

Wednesday, October 14th, 2015 - 7:00 p.m.



MAP





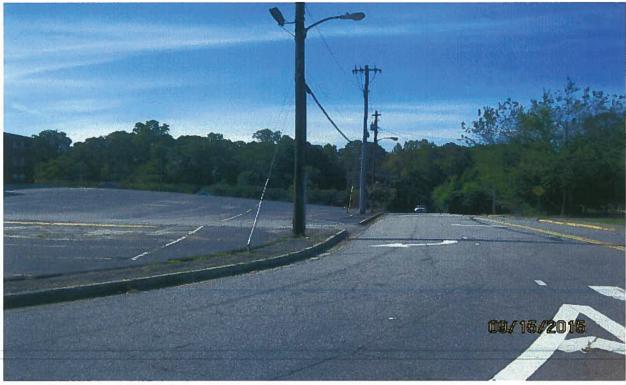
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PICTURES OF PROPERTY



767 Roswell Street



774 Roswell Street - along Victory Drive



205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director



774 Roswell Street - R-O-W



R-O-W continued along 774 Roswell Street

Department of Development Services 205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director

STAFF ANALYSIS

Location Compatibility

The owner, Roswell Street Baptist Church, is seeking to assign a zoning classification to the public right of way along Roswell Street that was abandoned by the City of Marietta and swapped with the owner for needed right-of-way. A public hearing on the proposed abandonment of the right of way will also be held by the City Council at the October 14, 2015 meeting. The surrounding properties are zoned CRC (Community Retail Commercial) and R-4 (Single Family Residential - 4 units/ac). The purpose of this rezoning application is to assign a zoning classification of CRC to the unzoned right-of-way so that it may be used for the Roswell Street Improvement Project.

Use Potential and Impacts

Historically, Roswell Street has been a main commercial arterial road leading through the City of Marietta, and it has been heavily used by both motorists and pedestrians. The area of right-of-way located at 767 Roswell Street is an alley and the area of right-of-way located at 774 Roswell Street is used for landscaping and parking.

Since the property is currently public right-of-way, it does not have a Future Land Use designation. However, the future land use for the surrounding area is CSI (Community Service & Institutional) and CAC (Community Activity Center), which is intended for areas that provides a service or good for the communities. The CRC zoning district is a compatible zoning for properties with a designation of CAC. Although CRC zoning is not specifically compatible with the CSI designation, it is appropriate since the surrounding properties share the same zoning and purpose to provide goods and services including professional offices.

Environmental Impacts

There should be no additional environmental impacts caused by the conversion of this land to be used for the Roswell Street Improvement Project.

Economic Functionality

The transfer of ownership and responsibility of this property will be beneficial to both the property owners and the City.

Department of Development Services 205 Lawrence Street Marietta, Georgia 30060

Brian Binzer, Director

STAFF ANALYSIS CONTINUED

Infrastructure

The rezoning of this right of way should not affect any public infrastructure in the area.

History of Property

Since this property was previously a public right-of-way, there is no history of any variances, rezonings, or Special Land Use Permits for this property.

Other Issues

Roswell Street Baptist Church is generally aware that some issues on their property may need to be addressed by variances; and the City of Marietta will assist the Church in identifying any such variances.



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ANALYSIS & CONCLUSION

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Prepared by:

Approved by:

09/18/2015

Rust Rate



Department of Development Services 205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director

DATA APPENDIX

| CITY OF MARIETTA - WATER | | | | | |
|--|-------------------------------------|--|--|--|--|
| Is a water line adjacent to the property? | Yes | | | | |
| If not, how far is the closest water line? | | | | | |
| Size of the water line? | 6 inch | | | | |
| Capacity of the water line? | Variable based on condition of main | | | | |
| Approximate water usage by proposed use? | Unknown- need additional data | | | | |
| | | | | | |
| CITY OF MARIETTA - SEWER | | | | | |
| Is a sewer line adjacent to the property? | Yes | | | | |
| If not, how far is the closest sewer line? | | | | | |
| Size of the sewer line? | 6 inch | | | | |
| Capacity of the sewer line? | Variance | | | | |
| Estimated waste generated by proposed development? | Unknown- need additional data | | | | |
| Treatment Plant Name? | R.L. Sutton WRF | | | | |
| Treatment Plant Capacity? | Cobb Water must confirm | | | | |
| Future Plant Availability? | Cobb Water must confirm | | | | |
| | | | | | |



Department of Development Services

205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

| Does flood plain exist on the property? | No | | |
|--|-----------------------------|--|--|
| What percentage of the property is in a floodplain? | NA | | |
| What is the drainage basin for the property? | Sope Creek | | |
| Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency? | No | | |
| If so, is the use compatible with the possible presence of wetlands? | | | |
| Do stream bank buffers exist on the parcel? | No | | |
| Are there other topographical concerns on the parcel? | | | |
| Are the storm water issues related to the application? | | | |
| Potential presence of endangered species in the area? | No | | |
| Transportation | | | |
| What is the road effected by the proposed | | | |
| change? | Roswell Street | | |
| What is the classification of the road? | Arterial | | |
| What is the traffic count for the road? | NA | | |
| Estimated number of cars generated by the proposed development? | | | |
| Estimated number of trips generated by the proposed development? | | | |
| Do sidewalks exist in the area? | Yes | | |
| Transportation improvements in the area? | Yes | | |
| If yes, what are they? | Roswell Street improvements | | |



Department of Development Services 205 Lawrence Street Marietta, Georgia 30060 Brian Binzer, Director

DATA APPENDIX CONTINUED

| EMERGENCY SERVICES | | | | | |
|--|------------------------------------|--|--|--|--|
| Nearest city or county fire station from the development? | City Station #52 – 149 Dodd Street | | | | |
| Distance of the nearest station? | 0.6 miles | | | | |
| Most likely station for 1 st response? | City Station #52 – 149 Dodd Street | | | | |
| Service burdens at the nearest city fire station (under, at, or above capacity)? | N/A | | | | |
| MARIETTA POWER - ELECTRICA | L | | | | |
| Does Marietta Power serve this site? | Yesx No | | | | |
| If not, can this site be served? | Yes No | | | | |
| What special conditions would be involved in | n serving this site? | | | | |
| | | | | | |
| | | | | | |
| Additional comments: | | | | | |



Department of Development Services 205 Lawrence Street Marietta, Georgia 30060 Phone (770) 794-5440 Brian Binzer, AICP, Director

APPLICATION FOR REZONING

(OWNER/APPLICANT OR REPRESENTATIVE MUST BE PRESENT AT ALL PUBLIC HEARINGS)

| Application #: 22015 - 33 | Legistar #: 2015 0 8 18 |
|--|--|
| Planning Commission Hearing: 10/6/15 | City Council Hearing: 10/14/15 |
| Owner's Name ROSWELL ST BAPTIS | CHURCH Email Address: PORSHEU STREET. Com |
| Mailing Address 114 Roswall ST | Zip Code: 30060 Telephone Number 7-424-9300 |
| COMPLETE ONLY IF APPLICANT IS NOT | OWNER: |
| Applicant: | |
| Mailing Address | Zip Code: |
| Telephone Number | |
| Address of property to be rezoned: 774 \$ 76 | |
| Land Lot (s) 1236/1232 District 16 Parcel A | √A Acreage <u>0.37</u> Ward <u>5</u> /4 Future Land Use: CAC |
| Present Zoning Classification: | Proposed Zoning Classification: |

REQUIRED INFORMATION

Applicant must submit the following information by **4:00 p.m.** on or before the application deadline. Failure to submit any item, or any additional information that might be requested, on or before the deadline will result in the application being held until the next scheduled meeting of the Planning Commission.

- 1. <u>ALL</u> rezoning submittals must include proposed plans, supplementary material, etc. in Adobe Acrobat on computer disk. <u>The original application must be submitted with ALL original signatures</u> <u>Copies of the application or signature(s) will NOT be accepted.</u>
- 2. Legal Description. Legal description must be in a WORD DOCUMENT.
- 3. Application fee (\$500)
- 4. Copy of the deed that reflects the current owner(s) of the property.
- 5. Copy of current tax bill showing payment or a certification from the City of Marietta Tax Office stating that taxes have been paid.
- 6. Plat/survey showing the dimensions, acreage, location of the tract(s) and utility easements prepared by an architect, engineer (P.E. or Civil Engineer), landscape architect or land surveyor whose state registration is current and valid and whose seal shall be affixed to the plat/survey.
- 7. Site plan (25 copies, drawn to scale) prepared by an architect, engineer, (P.E. or Civil Engineer), whose state registration is current and valid, showing the following:
 - One copy scaled to an 8 ½" X 11" size
 - Specific use or uses proposed for the site
 - Locations, sizes and setbacks of proposed structures, including the number of stories and total floor area
 - Detention/retention areas
 - Public or private street(s) right of way and roadway widths, approximate grades
 - Location and size of parking area with proposed ingress and egress
 - Specific types and dimensions of protective measures, such as buffers
 - Landscaping
 - Wetlands and 100 year floodplain
- 8. A detailed written description of the proposed development / project must be submitted with the rezoning application.

The purpose of this rezoning application is to zone the right-of-way that is being abandoned by the City and swapped with the applicant for needed right-of-way for the Roswell Street Improvement Project per the Settlement Agreement between the City and Roswell Street Baptist Church. All Zoning conditions from the October 2009 Rezoning are to remain in place.

TO: Marietta Daily Journal

FROM: City of Marietta

RUN AD DATE: September 18, 2015

PUBLIC NOTICE OF REZONINGS, SPECIAL LAND USE PERMITS, CODE AMENDMENTS, AND VARIANCES

The City of Marietta hereby gives notice that a public hearing will be held on the following rezonings and code amendment by the Planning Commission on **Tuesday**, **October 6**, **2015**, **6:00 P.M.**, City Hall, for a recommendation to the City Council at their meeting on **Wednesday**, **October 14**, **2015**, **7:00 p.m.**, City Hall, for a final decision to be made.

Z2015-33 [REZONING] CITY OF MARIETTA requesting rezoning for property located in Land Lots 1213, 1235, 1236, District 16, 2nd Section, Marietta, Cobb County, Georgia, and being known as portions of 10' unnamed alley, Roswell Street right-of-way, and Victory Drive right-of-way) from unzoned to CRC (Community Retail Commercial). Wards 5A and 1A.

A description and plat of the property sought for the rezoning and future land use assignment are on file in the Planning and Zoning Office, City Hall, and is available for inspection between 8:00 A.M. and 5:00 P.M., Monday through Friday. Anyone wishing to attend may do so and be heard relative thereto.

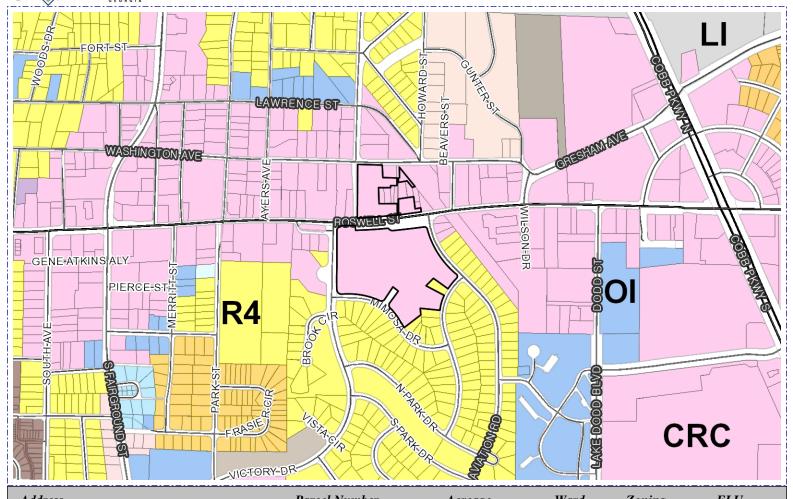
For additional information please call the Planning and Zoning Office (770) 794-5669.

Accessibility to Meetings: If you believe you may need the City/BLW to provide special accommodations in order to attend/or participate in any of the above meetings, please call Mr. Patrick Henley, ADA Coordinator, at 770-794-5558 (voice) or 770-794-5560 (TDD) no later than 48 hours before the date of the above meeting.

City of Marietta 205 Lawrence Street Marietta, Georgia 30060



Rezoning

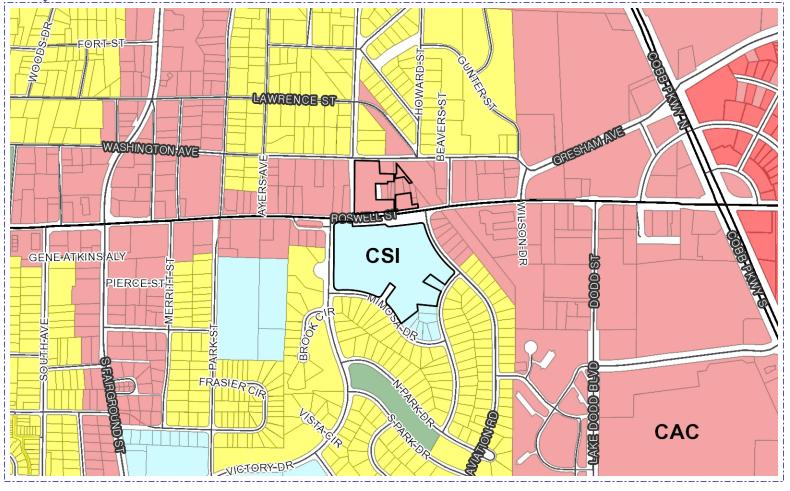


| Parcel Number | Acreage | Ward | Zoning | FLU |
|-------------------------------|----------------------------|---|---|--|
| 16123600010 | 10.188 | 1A | CRC | CSI |
| 16121300960 | 1.803 | 5A | CRC | CAC |
| Roswell Street Baptist Church | | | Railroads City Limits Cobb County Pocke NA R1 - Single Family F | ets Residential (1 unit/acre) Residential (2 units/acre) Residential (3 units/acre) |
| | 16123600010 16121300960 | 16123600010 10.188 16121300960 1.803 | 16123600010 10.188 1A 16121300960 1.803 5A | 16123600010 10.188 1A CRC 16121300960 1.803 5A CRC Roswell Street Baptist Church Zoning Symbols Railroads City Limits Cobb County Pocke NA R1 - Single Family I R2 - Single Family |

| | Cobb County Pockets |
|---|---|
| | NA NA |
| | R1 - Single Family Residential (1 unit/acre) |
| | R2 - Single Family Residential (2 units/acre) |
| | R3 - Single Family Residential (3 units/acre) |
| Amiliaanti | R4 - Single Family Residential (4 units/acre) |
| Applicant: | RA4 - Single Family Residential - Attached |
| | RA6 - Single Family Residential - Attached |
| | RA8 - Single Family Residential - Attached |
| Proposed Zoning: Unzoned ROW to CRC | MHP - Moble Home Park |
| 1 Toposed Zonnig. | PRD-SF - Planned Residential Dev. Single Family |
| | RM8 - Multi Family Residential (8 units/acre) |
| Accepts | RM10 - Multi Family Residential (10 units/acre) |
| Agent: | RM12 - Multi Family Residential (12 units/acre) |
| | RHR - Residential High Rise |
| D 111 | PRD-MF - Planned Residential Dev Multi Family |
| Proposed Use: | NRC - Neighborhood Retail Commercial |
| * | CRC - Community Retail Commercial |
| | RRC - Regional Retail Commercial PCD - Planned Commercial Development |
| | LI - Light Industrial |
| | HI - Heavy Industrial |
| Planning Commission Date: 10/06/2015 | PID - Planned Industrial Development |
| 1 familing Commission Bate. 10/00/2010 | MXD - Mixed Use Development |
| G: G :111 : D : 40/4/0045 G N 1 70045 00 | CBD - Central Business District |
| City Council Hearing Date: 10/14/2015 Case Number: Z2015-33 | OIT - Office Institutional Transitional |
| | LRO - Low Rise Office |
| City of Mariatta Dlanning & Zaning | OI - Office Institutional |
| City of Marietta Planning & Zoning | OS - Office Services |
| | OHR - Office High Rise |



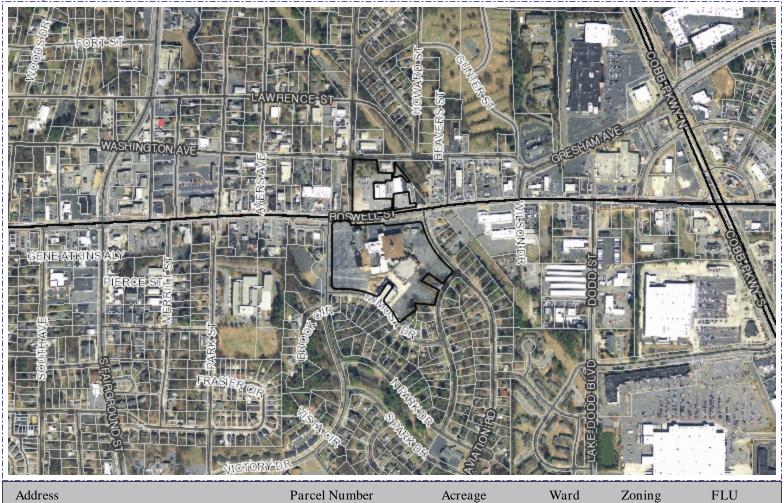
Future Land Use



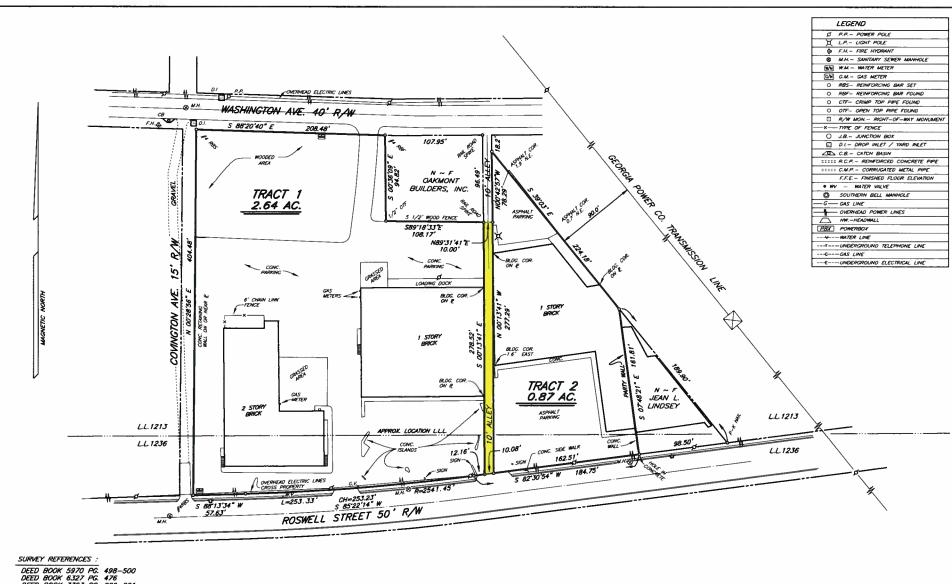
| Address | | Parcel Number | Acreage | Ward | Zoning | FLU |
|----------------------------|----------------|----------------|---------|------|--------------------|---------------------------|
| 774 ROSWELL ST | | 16123600010 | 10.188 | 1A | CRC | CSI |
| 767 ROSWELL ST | | 16121300960 | 1.803 | 5A | CRC | CAC |
| Planning Commission | | | | | uture Land Use | Symbols |
| Hearing Date: | 10/06/2015 | | | - | Railroads | |
| | | | | [| City Limits | |
| City Council Hearing Date: | 10/14/2015 | | | | Cobb County Po | ckets |
| | | | | | RAC - Regional A | Activity Center |
| Future Land Use: | CAC/CSI | | | | CAC - Communit | y Activity Center |
| | | | | | NAC - Neighborh | ood Activity Center |
| Case Number: | | | | | CBD - Central Bu | usiness District |
| | | | | | MXD - Mixed Use | e Development |
| Comments: | | | | | CSI - Community | Service and Institutional |
| | | | | | HDR - High Dens | sity Residential |
| | | | | | MDR - Medium D | ensity Residential |
| | | | | | LDR - Low Dens | ty Residential |
| | | | | | OSC - Open Spa | ce / Conservation |
| | | | | | PR - Parks / Rec | reation |
| | | | | | IW - Industrial W | |
| Cite CM | ani a44 a D1 - | i 0-7i | | | IM - Industrial Ma | anufacturing |
| City of M | arietta Plai | nning & Zoning | | | TCU - Transporta | ation and Utilities |



Aerial Map



| 774 ROSWELL ST | | 16123600010 | 10.188 | 1A | CRC | CSI |
|--------------------------------------|--------------------|---------------|----------------|----|--------|------------------|
| 767 ROSWELL ST | | 16121300960 | 1.803 | 5A | CRC | CAC |
| Property Owner: | Roswell Street Bap | ptist Church | | | | |
| Applicant: | | | | | Legend | |
| City Council Hearing Date | · 10/14/2015 | | | | 1 | roads Limits |
| | | | | | | LIIIIII |
| Planning Commission Hearing Date: | 10/06/2015 | | | | Cok | b County Pockets |
| BZA Hearing Date: | | Case Nur | mber: Z2015-33 | | | |
| Comments: | | | | | | |
| | | | | | | |
| City of I | Marietta Planr | ning & Zoning | g | | | |



DEED BOOK 5970 PG. 498-500 DEED BOOK 6327 PG. 476 DEED BOOK 3383 PG. 200-201 DEED BOOK 13321 PG. 1845 PLAT BOOK 9 PG. 119 PLAT BOOK 9 PG. 151 PLAT BOOK 12 PG. 66

THIS PLAT IS FOR THE EXCLUSIVE USE OF THE PARTIES STATED ON THE FACE OF THE SURVEY. ANY USE BY THRO PARTIES IS AT THEIR OWN RISK.

#4 REBARS FOUND OR SET AT ALL CORNERS UNLESS OTHERWISE NOTED

THIS PLAT IS PREPARED FROM A PIELD SURVEY USING A FINE SECOND DIGITAL THEODOLITE AND ELECTRONIC DISTANCE METER; LINEAR PRECISION OF TRAVERSE : // 40,491; ANOLULAR DIRROR 4" PER PODIT. THE TRAVERSE MAS AUDISTED DIRROR HE COMPIED.
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THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTIONS, SUBSURFACE CONDITIONS, OR OTHER MATTERS OF TITLE WHICH ARE NOT VISIBLE. NOT RECORDED, OR NOT DISCLOSED IN THE TITLE . THE OWNER, THE PURCHASER, OR

| WISHLE, NOT RECORDED, ABSTRACT PROVIDED BY ANY AGENTS THEREOF. | 50 | , | 50 | 100 |
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| | | SCALE | IN FEET | |
| NSKONS | | | | |

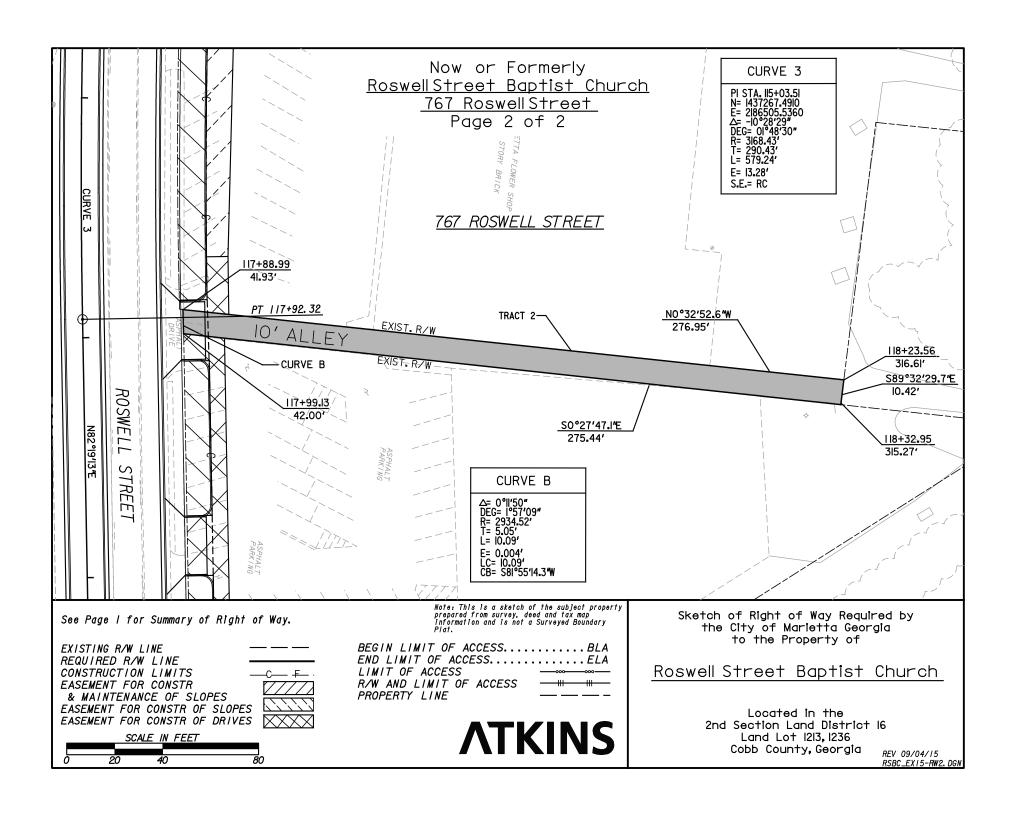
| L | DATE | : 7-1-02 | REVISIONS |
|---|-----------|-------------|---------------|
| Т | SCALE | : 1"= 50" | |
| r | DRAWN B | " : MW | |
| E | CHECKED E | BY : CAE/MW | |
| | 271/104 | /ROSWSTBND | |
| | | | S SURVEYING & |

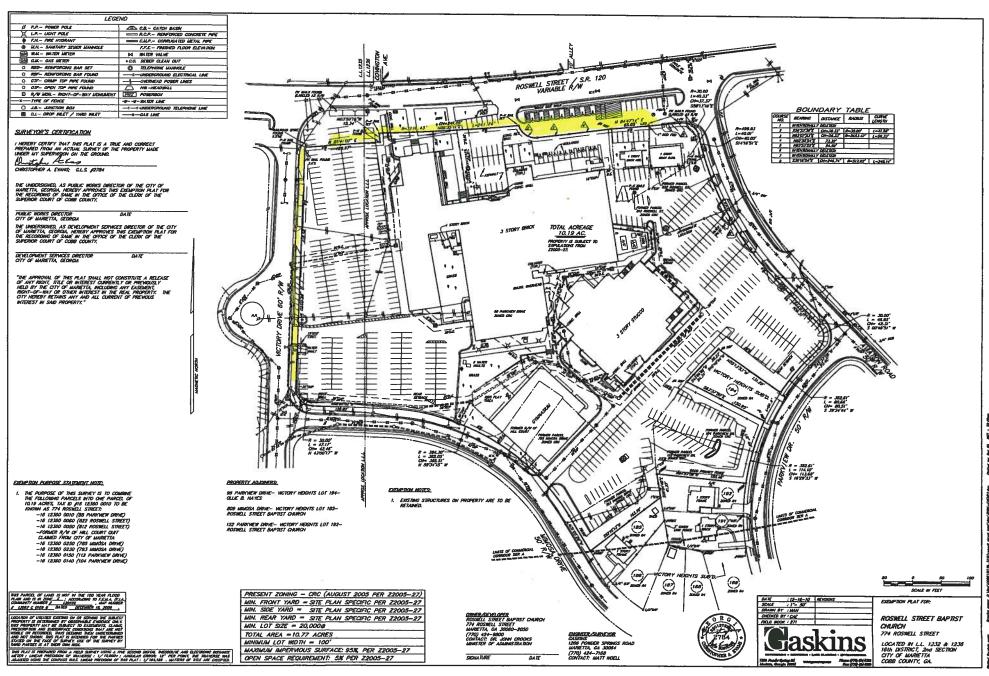
1266 POWDER SPRINGS ROAD PHONE: 770-424-7168 MARIETTA , GEORGIA 30064 FAX. 770-424-7593 www.gscsurvey.com

SURVEY FOR :

SOUTHERN NATIONAL BANK, LAWYERS TITLE INSURANCE CO. & ROSWELL STREET BAPTIST CHURCH, INC.

LOCATED IN L.L. 1213 & 1236 16th. DISTRICT, 2nd SECTION COBB COUNTY, GA. CITY OF MARIETTA





PLAT 774

